

THE HONORABLE THOMAS S. ZILLY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

HUNTERS CAPITAL, LLC, et al.,

Plaintiffs,

vs.

CITY OF SEATTLE,

Defendant.

Case No. 2:20-cv-00983-TSZ

DECLARATION OF GABRIEL REILLY-
BATES IN SUPPORT OF PLAINTIFFS'
RESPONSE IN SUPPORT OF CITY OF
SEATTLE'S MOTION TO SEAL CERTAIN
EXHIBITS TO THE DECLARATION OF
SHANE P. CRAMER IN RE THE CITY'S
MOTION FOR SUMMARY JUDGMENT

Noted: October 14, 2022

I, Gabriel Reilly-Bates, declare as follows:

1. I am an attorney with Morgan Lewis & Bockius LLP and represent Plaintiffs in the above-captioned action. I am over eighteen years of age and am competent to testify herein. I make the following statements based on my personal knowledge.

2. On Tuesday, September 27, 2022, in preparation of a meet and confer conference scheduled for Wednesday, September 28, 2022, to satisfy the parties' meet-and-confer obligations

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IN SUPPORT OF PLAINTIFFS' RESPONSE IN
SUPPORT OF CITY OF SEATTLE'S MOTION TO
SEAL CERTAIN EXHIBITS TO THE
DECLARATION OF SHANE P. CRAMER IN RE
THE CITY'S MOTION FOR SUMMARY
JUDGMENT
(Case No. 2:20-cv-00983-TSZ) - 1

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under FRCP 37 and LCR 5(g), counsel for the City indicated that there were several documents that were marked confidential that the City wanted to file in support of its Motion for Spoliation Sanctions and its Motion for Summary Judgment.

3. Counsel for both parties discussed the process for reviewing documents to be filed under seal during the meet-and-confer conference on Tuesday, September 27, 2022, and on Wednesday, September 28, 2022, counsel for the City sent an updated list of 14 documents, including exhibits and deposition transcript excerpts, Exhibits 38 (further identified as CHOP-0004594-CHOP-0004606), Exhibit 40 (further identified as CHOP-00121168-0012174) and Exhibit 42 (further identified as excerpts if the Rebuttal Report Prepared by William Partin) to the Declaration of Shane P. Cramer in support of the City's Motion for Summary Judgment.

4. Counsel for Plaintiffs reviewed the City's list of 14 documents, and determined that all but four of the exhibits could be publicly filed.

5. Following Plaintiffs' counsel's review of the Sealed Exhibits, Plaintiffs' counsel emailed counsel for the City to request that they be filed under seal.

6. On October 7, 2022, I sent redacted versions of the Sealed Exhibits to Counsel for the City.

7. Counsel for the City responded on October 10, 2022, that they had no objections to Plaintiffs' counsel filing the redacted versions of the Sealed Exhibits, the Redacted Exhibits, so long as the Court would still consider the information that was redacted in its rulings.

I declare under the penalty of perjury under the laws of the United States of America and the State of Washington that the foregoing is true and correct.

DATED this 10th day of October, 2022 at Vashon Island, Washington.

s/ Gabriel Reilly-Bates
Gabriel Reilly-Bates

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